

For: PEC & Town Council

PEC Meeting July 22, 2019

From: Anne Esson

In addition to my overwhelming and growing fear that the Triumph's proposed Booth Heights project will doom the Bighorn Sheep herd, after listening to hours of the developer's testimony, I have additional concerns as follows not assuaged or relieved by what I have heard so far.

1. The traffic study of Dec. 30, 2017, is a farce. Vail Mountain School, a very major contributor to congestion on Frontage Rd. twice a day & some evenings, was not in session, and a paucity of snow kept skiers, esp. savvy Colorado ones, away. Turns at the East Vail Exit 180 seem to be the only ones the survey addressed, though it is the twice a day turns at VMS, as well as overflow parking along Frontage Rd., that impede traffic flow including buses when school is in session.

2. Geological Rockfall Hazards have not been considered sufficiently by decision-makers as addressed by me in prior communications with PEC and Town Council. Safety hazards posed by the imposing spring waterfall directly above the building site and two streams running through it destabilize rocks on the cliff rim above and soils on the steep slope. According to the author of these studies, a substantial berm above the proposed buildings cannot be counted on to catch all rocks or debris pitching down from above. If you have doubts about the risk, consider this year's rockfall closing of I 70 through Dowd Jct. and the effect of saturated soils on a 5 yr. old Front Range expressway Hwy. 36 to Boulder. Of course, we have photos of boulders as large as 20ft. x 20ft. in the Rockfall Hazard Study, as well as historical awareness of such rockfall at both the west and east end of Booth Creek residential development, the latter after the berm was built to protect those residing below.

3. Risk to Pedestrians both in crossing the Frontage Rd from the eastbound bus stop day and night, as well as traversing the tunnel under I 70 where no protections for those on foot exist is substantial. Insouciance by the developer who suggests this would be an easy route for his renters to reach a grocery store, is astounding.

4. Further glib dismissal by the developer of concerns expressed about governance and rules enforcement by a foreseen Homeowner Association is baffling. Consider an HOA's difficult task in governing a mixed use housing project including 270-350 seasonal renters, subsidized townhome owners, and private market townhome owners who can be expected to rent their homes short-term. Tenants may express in surveys enjoyment of living in housing representing various ages and circumstances, but governance of such a grouping by one association would be a nightmare at best, impossible at its worst. Assurances that the HOA can enforce well-meaning rules for protection of the Bighorn Sheep sharing the same space, or even parking regulations, leave most of us incredulous.

5. The use July 8<sup>th</sup> of a sheep winter range map of 1800 acres pre-development of Vail is flat out deceptive. As the finally-commissioned studies by independent biologists stated, today's winter sheep range before any Booth Heights project is 150 acres. These sheep are not "habituated" to human disturbance, they are on starvation rations and desperate for forage.

I fully concur with the analysis submitted this week by Grace Poganski of the criteria the PEC must use in deciding whether this project merits approval or not. I furthermore share her conviction that should it go forward you will do irreparable harm to our environment and doom the Bighorn herd, but also think you may cause great harm to the very people you are trying to assist with housing.

## Danielle Couch

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**From:** Anne Esson <alessen055@gmail.com>  
**Sent:** Monday, July 8, 2019 7:06 AM  
**To:** Christie Hocht  
**Cc:** PEC; Council Dist List; mgennett@vailgove.com; Chris Neubecker; pamelas  
**Subject:** Re: Bighorn Sheep

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Thank you! Christie this letter reflects a sensible, knowledgeable family's perspective on a difficult community choice. In fact, there are other sites which could be turned to workforce housing without exacting a devastating blow on our struggling wildlife. We can have both! There is support in Council & on PEC to do this. Broad, declared community support will help them move forward.

Anne

On Sun, Jul 7, 2019 at 5:25 PM Christie Hocht <[choctl@mountainmax.net](mailto:choctl@mountainmax.net)> wrote:

Attached is a letter regarding the Bighorn Sheep population and the Booth employee housing.

Thank you,

Christie Hocht

June 7, 2019

Vail Town Council,

My name is Christie Hocht. I reside at 890 Red Sandstone Circle in Vail. I have been a valley resident since 1972. My husband, Karl has lived in Vail since 1965. I have a degree in Biology from Willamette University in Salem, Oregon.

I have read the studies and letters from Gene Byrne, Rick Kahn, Matt Yamashita, and Melanie Woolever. I believe these letters and studies were included in the Vail Town Council packet for the meeting Monday July 8, 2019 at 1 pm. I also attended the Wildlife Forum in January 2018 presented by Bill Andree, Rick Thompson, and two others.

After reading these letters and studies, coupled with my own observations over many, many years. The proposed development for employee housing at the East Vail interchange will spell the demise of a very special population of Bighorn Sheep. The Gore Range Eagle's Nest S2 herd is native and has occupied this area for hundreds maybe thousands of years. Sheep are creatures of habit and go to the same winter and summer ranges year after year after year. It is estimated we only have between three and five percent of the historic numbers of Bighorn Sheep. Do we want to lose them completely?

Some of the biggest factors accompanying development are loss of critical winter range, habitat, and human encroachment. I know there are proposals to keep people out of the winter range area but I feel the enforcement is unrealistic. For example, years ago when the Cascade Lift was installed it was never intended to be a ski run and the area west from Eagles Nest to Dowds Junction is closed and designated critical wildlife habitat. How many ski tracks do you see after a powder day under this lift? How many ski tracks do you see through the trees dropping down to the Donovan Bench? How many ski tracks do you see coming off the cliffs on much of the south facing slopes of the valley north of I 70? This is also critical winter habitat for elk and other wildlife. Restricting dogs was also mentioned and Rick Kahn suggested no dogs in the area. Good Luck!

The development would also negatively impact our declining deer and elk populations, and the peregrine falcon. The studies suggested there would be more bear encounters with humans and trash.

While I realize the need for housing, this development is way too big for the site with inadequate parking and little regard for the view corridor entering Vail. The building east of Red Sandstone Elementary School is massive and overpowers the landscape and the Booth development would have even more of an impact. Do we want to look any urban area or preserve what's left of our beautiful valley?

Please vote to keep our wildlife for generations to come. Saving the Bighorn Sheep habitat will also boost our populations of deer, elk, and peregrine falcons and keep our bears from human conflict.

Sincerely,

Christie and Karl Hocht, son Kevin and wife Sarah, son Karl and wife Jenny and grandchildren, Annelore, Karl IV, Mattias, and Nikolas Hocht

July 7, 2019

Town of Vail Planning and Environmental Commission  
Town of Vail Planning Manager  
75 South Frontage Road  
Vail CO 81657



Dear Commissioners and Planning Manager Neubecker:

Colorado Wildlife Federation (CWF) is a statewide nonprofit organization, and National Wildlife Federation affiliate, comprising wildlife enthusiasts, anglers, hunters, photographers and other outdoor recreationists. We are pleased to submit our comments on the proposed Booth Heights/East Vail Workforce Housing Development.

CWF is well acquainted with the extensive experience and expertise that wildlife biologists Rick Kahn, Melanie Woolever and Gene Byrne bring to their assessments of the impacts to the bighorn sheep herd. We commend you for seeking their expert opinions. In addition, Colorado Parks and Wildlife, our state's wildlife management agency, has cited the direct and indirect impacts to this bighorn sheep herd should the project be approved in its current form and notes the attention that will be necessary to address long term cumulative impacts. We accord considerable weight to their assessments. In broadest terms, their thinking seems to be that the plan has not adequately examined or addressed the impacts to the bighorn sheep herd to the satisfaction of these experts. CWF also notes that the project would constrain a big game movement pattern.

Wildlife viewing is a large economic driver. An indicator of the importance of wildlife to Coloradans is the finding in the 2019 State of the Rockies bipartisan poll that 82 percent believe loss of habitat for fish and wildlife is a serious problem.

Therefore, our impression is that the plan, as proposed, has not benefitted from enough scrutiny to render it ripe for approval. CWF urges the Commission to decline to move forward the project, as proposed, given the impacts to this bighorn sheep herd. We hope that this Commission will devote genuine thought to the long term and short term implications and consequences of the decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne O'Neill".

Suzanne O'Neill, Executive Director, Colorado Wildlife Federation

## Danielle Couch

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**From:** cbartmd@aol.com  
**Sent:** Monday, July 15, 2019 7:15 AM  
**To:** PEC  
**Subject:** Two issues-underpass and environment

My name is Donna Mumma, I live in East Vail across from Simms market. Again, I am writing to describe the East Vail underpass, this time with regards to highway closures. In the winter months, closures are extremely common. Snow and ice pack the dark underpass. Congestion and chaos frequently ensue as cars and trucks exit the highway in search of things like- public restrooms, gas stations, coffee shops or rest areas. None of which exist, as East Vail has no amenities. The underpass provides NO divisions between people and cars even in congested, dark and icy conditions.

#1 On July 8, I was disappointed in McDowell's responses to underpass pedestrian safety. The words "safety" and pedestrians were not noted in their original report and no evaluation was made regarding underpass safety. The remarks of one of McDowell's representative stated that no past history of injuries at that site has occurred. That statement is irrelevant without taking into account the exponential increase in the coexistence of pedestrians and cars which will be created by the Booth Heights development. She also mistated the width of a pedestrian lane which doesn't really matter as that lane is frequently not present in the winter months. Another McDowell representative said a sidewalk in the underpass would be possible, without actually looking at the underpass. I am not confident that Triumph's choice for the traffic study has the expertise to notice the safety problems and evaluate the underpass objectively. I recommend a safety study by a company more skilled in the area of pedestrians and traffic. Please consider a site visit in winter months.

#2 I was very surprised that the environmental report presented by Triumph only discussed the environment of the site! Isn't the job of the PEC to look at the effects of development on the community and environment of our valley as a whole? There are no amenities in East Vail which will require lots of increased driving miles for residents. Adding busses adds busses to a dangerous underpass. I believe the broader picture of the environment should be taken into account with such a large development in such a poor location for walking. Booth Heights will not only destroy the environment of the site itself, effecting the surrounding wildlife and their health and well being, it will also add to the greenhouse gases in the valley by confining the work force to an isolated community 7 miles by car and two busses from the amenities they will need to access.

Please take the shortcomings of the East Vail underpass seriously as the stakes are high. In my last decade as a pathologist, I evaluated pedestrian encounters with vehicles in terms of pedestrian donors--- organ donors!

Donna Mumma,MD

To: TOV Planning and Environmental Commission, Chris Neubecker, Matt Gennett, Dave Chapin

Re: East Vail Parcel proposed development

Leaving the PEC meeting on July 8, 2019, I had more questions than answers in general, and more specifically in regard to whether Triumph has satisfied all the necessary criteria for permission to develop the East Vail Parcel. I believe these questions need a closer look.

**Who gets to choose which wildlife biologists' reports are considered valid?**

After the presentation was finished, and after many of the public comments were finally heard, Triumph's representative, Mr. O'Connor, was allowed to voice his indignation about the addition of reports from the wildlife biologists commissioned by the Town of Vail to study the issue of bighorn sheep impacts and the proposed mitigation plan. He disparaged those reports, with the exception of Mr. Byrne's report, as incomplete and lacking in depth. He stated that the only reports that should be considered were by those people who were well versed in the unique aspects of the Vail herd of bighorn sheep. He mentioned Mr. Byrne in particular, who concurred on many points with Triumph's own biologist, Rick Thompson. The irony is that Mr. Thompson is apparently not so knowledgeable about our unique Vail herd, having clung to the idea for months and stated over and over again that our bighorns were nocturnal. He finally allowed that the two bighorn sheep that he captured on camera one evening were, perhaps, an aberration. This admission came only after all the other wildlife biologists, including Mr. Byrne, each of whom have years of experience studying bighorn sheep, and the CPW, stated that bighorn sheep are in fact diurnal. (I note that the TOV Community Development Dept. Memorandum, July 8, 2019, Chapter 12, 12-12-5, says that the "C: Environmental Inventory: should contain 'sufficient information to permit independent evaluation by reviewers of factors that could be affected by the proposed project'...".)

**If Triumph does not satisfy all the criteria set out by the TOV, do they still get to develop the parcel?**

Section 12-61-13, Development Standards/Criteria for Evaluation of the zoning Regulations of the Town of Vail... It shall be the burden of the applicant to demonstrate that the proposed Development Plan complies with all the applicable design criteria.

**A. Building design with respect to architecture, character, scale, massing and orientation is compatible with the site, adjacent properties and the surrounding neighborhood.**

I submit that Triumph has not met this criteria. The surrounding neighborhood does not contain any high density apartment projects. Nor does the design and proposed materials for these buildings match the character, scale or mass of its closest neighborhood to the west or any in the East Vail neighborhoods.

**C. Open space and landscaping are both functional and aesthetic, are designed to preserve and enhance the natural features of the site, maximize opportunities for access and use by the public, provide adequate buffering between the proposed uses and surrounding properties, and, when possible, are integrated with existing open space and recreation areas.** There is no preservation or enhancement of the natural features of the site. The entire footprint of the proposed development site will be bull dozed, clear-cut and paved over.

**E. Environmental impacts resulting from the proposal have been identified in the**

**project's environmental impact report, if not waived, and all necessary mitigating measures are implemented as a part of the proposed development plan.** I submit that the proposed mitigating measures are insufficient. Mr. Byrne, as well as the other wildlife biologists and the CPW, questions the effectiveness of proposed wildlife enhancement on the adjacent NAP parcel and the likelihood that it will be used by the bighorn sheep. In addition, the Geologic Analysis report states that an existing landslide occupies the eastern approximate 18 acres of the EVP, in the proposed NAP. The report's conclusions and recommendations state **"Ground modifications and development around these ancient landslides will increase the potential for re-activation and re-mobilization of the landslide mass,.."**. So, if mitigation of the NAP goes ahead as proposed, the potential for re-activation of this landslide mass will increase. Also, since the Geologic Analysis goes on to state that the "Planned development" of the 5.4 acres "extends up to the limits of the steep western flank of the landslide extents...", the geological consultant "recommends **avoiding development within or near the mapped extents of the landslide. Site improvements and regrading near the toe of the landslide may re-activate slope movement and should be avoided.**" A barrier wall will still be cutting into the toe of the landslide. How does Triumph plan to develop this portion of the 5.4 acre site that is directly adjacent to a landslide site without disturbing said landslide site?

#### **F. Compliance with the Vail comprehensive plan and other applicable plans.**

2009 Environmental Sustainability Strategic Plan Goal #3 – Ecosystem Health: Ensure that the natural environment, specifically air and water quality, water quantity, land use and *habitat are maintained to current or improved levels of biological health.*

The bighorn wildlife biologists and the CPW agree that the proposed mitigation plan will not effectively sustain Vail's bighorn sheep herd. This is in direct conflict with the stated goal of maintaining the habitat to current or improved levels. **To quote Mr. Byrne,** "I concur with Thompson (section 9.3.2) that 'the East Vail Workforce Housing parcel is located adjacent to the most important block of bighorn sheep winter range in the valley.'" I also suggest that this winter range is the most limiting factor to this sheep herd and that this is the only known late season winter range for these sheep. **Anything that diminishes the quantity, quality or effectiveness of this area will be detrimental to this herd.** This is the only herd of bighorn sheep in the Vail valley and it probably represents a population of around 100 sheep that fluctuates from year to year based mostly on winter severity. **The loss of this native sheep herd, that has probably existed in this area for thousands of years, would be a tragedy not only to the residents but the whole state of Colorado."**

2018 Open Lands Plan Update, Purpose – Protect environmentally sensitive land from development and or mitigate development impacts on environmentally sensitive land.

The entire parcel, including the proposed 5.4 acres of development, is, as stated by geologists and biologists, environmentally sensitive. Rockfall hazards and debris flow hazards exist across the parcel and the geological analysis "explains how a rockfall or a severe debris flow can occur through natural processes such as freeze-thaw or intense prolonged precipitation or rapid snowmelt, or through **"modifications to the existing natural condition"**, which "may increase debris flow susceptibility." Although there is a proposed mitigation berm or barrier system, according to the conclusions and recommendations of the report, the proposed "mitigation system will reduce, **but not eliminate rockfall and debris flow hazards in the area of the proposed development.**" (Ex2 Environmental Impact Report, Section 2.3.2 Geologic Hazards:) Together with the landslide issue, I submit that this development does not satisfy Criteria F.

**12-12-11: A. Criteria for Decision** (by the PEC) This section states in part: "The planning and environmental commission shall approve the project unless it finds that... the project will have



significant long term adverse effects on the environment with respect to the natural systems...". According to the Environmental Impact Report, the Rocky Mountain bighorn sheep is on the U.S. Forest Service designated "sensitive species" list, which includes "*species declining in number or occurrence or whose habitat is declining, either of which could lead to Federal Endangered Species listing.*" The State of Colorado has put bighorn sheep on their list of species of greatest conservation need.

If this project goes forward, the wildlife biologist bighorn sheep specialists, commissioned by the Town of Vail agree, despite the developer's disparagement, that our bighorn sheep herd cannot be sustained. If this assessment, among all the other factors - geological, biological, aesthetic and otherwise - does not convince the members of the planning and environmental commission that the East Vail Parcel Project Proposal will have long term adverse effects on the environment, then what will?

At what cost, environmentally and personally, do we allow ourselves to go down this path?

Respectfully submitted,

Grace Poganski  
Vail CO

## Danielle Couch

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**From:** Shelley Bellm  
**Sent:** Monday, July 8, 2019 10:59 AM  
**To:** PEC  
**Cc:** Chris Neubecker  
**Subject:** FW: East Vail Housing Project Support

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**From:** Jennifer Law [<mailto:Jlaw1@vailresorts.com>]  
**Sent:** Monday, July 8, 2019 10:56 AM  
**To:** CommDev  
**Subject:** East Vail Housing Project Support

Dear Mr. Stockmar and the Planning and Zoning Commission:

My name is Jennifer Law (Schofield). I am the Senior Director of Human Resources for Vail Resorts in Eagle County. Thank you for your service on the PEC. My dad was a long-time member on the PEC so I know firsthand the amount of reading and diligence this role plays.

I am writing to you today regarding the proposal for the East Vail Housing project. I am proud of what our company has done for employee housing. We are truly a leader in the industry in Colorado. We are always asked to do more as the need for affordable housing continues to grow. I am also proud of the commitments both Triumph and we will make to enhance wildlife, following approved rules and regulations and respecting the 18 acres of NAP.

Our company did the right thing in down zoning the parcel in East Vail for open space and housing and being able to add to the inventory of housing with a master lease. The master lease is not only important to the developer but to our employees who are living a short bus ride away. As you know many of our employees are waking up early to prepare for our guests and leaving late in the day after providing an experience of a lifetime for our guests.

In order to continue to be the world's premier mountain resort, we need to provide an experience of a lifetime for our employees as well. One of the main ways we accomplish this goal is to ensure basic needs are met. Affordable housing, close to work is an essential part of achieving this initiative.

Thank you for your support of this important project.

Jen

Jennifer Law, SPHR, SHRM-SCP  
Senior Director, Human Resources, Eagle County, CO  
O: 970.754.3040 Cell: 970.331.6457

[Jlaw1@vailresorts.com](mailto:Jlaw1@vailresorts.com)



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# VAIL HOMEOWNERS ASSOCIATION

July 15, 2019

Town of Vail  
Planning and Environmental Commission  
75 South Frontage Road  
Vail, CO 81657

RE: Booth Heights proposed development

Dear Chairman and Commission Members:

We write to provide comments on the reports of the three independent experts and the CPW and to offer suggestions for a way forward for this project. We are providing these comments by letter because we cannot make them in the three minutes allowed for public comment.

Taken together, the reports of the independent experts and the comments from the CPW make a number of key points which show that the dangers for the bighorn sheep are much greater than envisioned before. As set forth below, the reports exposed many flaws in Triumph's EIR and mitigation plan and show that the dangers for the sheep would not be offset by Triumph's mitigation plan.

**Contrary to Triumph's claims, the winter range of the sheep is only 150 acres.** The CPW report should, categorically, put to rest one of the most outrageous and heavily promoted of Triumph's claims which forms the foundation of its entire approach to mitigation, that the bighorn sheep have a winter range of 1,800 acres. According to the CPW, the so-called "1,800 acre winter range polygon" for bighorn sheep "is not representative of current available habitat," and the actual effective winter habitat number is "less than 150 acres," a number far less than Triumph's biologist claimed. That scarcity of range totally changes the analysis of the potential harm to the sheep.

**Contrary to Triumph's claims, the area from which the sheep would be displaced is 80 acres or more.** Triumph has been trying to gloss over the full extent of the loss of range for the sheep. These reports, however, make clear that the sheep will be displaced from far more than just the 5 acres of the project and the 2 acres between the project and Frontage Road. According to CPW and all three experts, the impact of indirect or offsite habitat loss from human disturbances at the site would be much greater than the direct loss of the site itself. As explained by Rick Kahn, a bighorn sheep expert with over 40 years' experience, bighorn sheep are very susceptible to human disturbances, and sheep can be impacted up to ¼ mile (440 yards) away, meaning that the loss of habitat from this development extends outward all around the project site, displacing the sheep from upwards of 80 acres. That means the sheep will lose over 50% of their range which will be devastating. This is a point that VHA has been making from the beginning, although VHA's estimates didn't capture the full extent of that loss.

Those impacts will be even greater during construction of a project of this size when heavy equipment, compressors, nail guns, power tools and other construction equipment are in constant use and banging and hammering is always going on somewhere.

Triumph originally tried to gloss over these facts and the absence of any mitigation plan to address them by claiming that the sheep would return at night to forage under the cover of darkness. When Triumph's biologist finally had to admit that he was wrong about that (see next point below), he touted out a new "theory"-- that the sheep will become habituated to the project and, therefore, will not be harmed by it. We urge the PEC to ask the independent experts what they think about that theory.

**Triumph's EIR and mitigation plan are based on pseudo-science.** Rick Kahn also examined the so-called '17-'18 winter sheep study done by Triumph's biologist which formed the basis for Triumph's EIR and mitigation plan. He found that the study was not adequate in design or results; it was "highly speculative" due to its short duration (7 months), and its recommendations "should be considered speculative." As he noted, professionals use spatial collars, not trail cameras, to collect information and studies should be over much longer durations for data to be reliable.

More pseudo-science is the persistent claim by Triumph's biologist that the sheep will forage at night. He used that claim to dismiss off-site displacement of the sheep due to construction and/or resident activities. It was not until confronted with the reports from both Rick Kahn and another of the experts, Gene Byrne, a wildlife biologist with 30 years' experience, that he recanted and acknowledge what VHA has been repeatedly saying, that bighorn sheep are not nocturnal animals. So that claim can no longer be used as a justification for inadequate mitigation plans.

**Triumph's plans to mitigate 14.6 acres in the NAP parcel will not help the sheep.** The CPW and all three experts also agreed that, while Triumph's proposed mitigation plan might benefit elk and deer, it will not benefit the sheep. As Gene Byrne explained, the area Triumph plans to mitigate is too far from the sheep's escape cover for the sheep to take advantage of it. And as Rick Kahn noted, ewes and lambs have "very high site fidelity," making it pure speculation to think that they will move to the NAP area, and he concluded that the proposed mitigation could result "in further loss and potential extirpation" of the herd. Gene Byrne's conclusion was that the actual winter range "is probably the most critical factor for the herd's long-term vitality and this area must be protected." And the third expert, Melanie Woolever, a wildlife biologist with over 30 years' experience, over 20 years of which was in bighorn sheep conservation, found the scale and approach to habitat improvement was "inadequate and will not ensure persistence" of the herd.

Obviously, there is a direct conflict on this point. Ordinarily that would tip in favor of the independent experts who have no axe to grind. Also telling is that Triumph's biologist did not take issue with any of the reasons offered by CPW and independent experts' as to why the planned mitigation in the NAP parcel would not benefit the sheep or offset the loss of habitat that will be caused by the project. And if Triumph's plan was the be-all and end-all it makes it out to

be, it could have already done the mitigation, and if it worked, it wouldn't have to play coy about when it was going to do that work (see below). After all, Triumph earlier said that since the NAP property was privately owned, they did not have to get any permissions to do that work. The fact that it has not speaks volumes.

**Real mitigation requires habitat restoration in the areas north and west of the project site.**

What is really needed according to CPW is large-scale mitigation to the north and west of the project and that should take place as soon as possible which is another point that VHA has repeatedly made. That land is owned by the TOV and the USFS, and, so far, nothing has been done by either. The TOV, apparently, does not have any current plans to treat its land, although it may have been waiting on the USFS plans. According to a recent report to the Town Council, the USFS is now moving forward with the planning process to clean and treat its land, but due to wilderness regulations and budgetary and manpower limitations, no actual work can take place until FY 20/21 at the earliest or even perhaps later. That means, under a best case scenario, work cannot begin until the fall of 2020. Since improved areas need a year of growth to yield results, as a practical matter, that means that winter habitat on USFS land (and perhaps the TOV land) will not see any improvement until the winter of 21/22. If construction were authorized before then at the East Vail site, the implications for bighorn sheep are huge.

Any delays caused by this schedule is a self-created problem. Vail Resorts and Triumph have had two years to initiate action to get this process underway and yet have done nothing. Of course, Triumph can now try to speed up that schedule if it so desires, but no construction should take place until mitigation has been completed (see next point).

**Mitigation needs to take place before any construction.** Triumph's plan was to start construction and mitigation at the same time. The CPW recommended that mitigation work should take place before any construction, so it can be evaluated before proceeding further. As stated by Melanie Woolever, habitat improvement needs to be completed before any construction and demonstrated effective before it can be said that losses due to the project have been mitigated. Faced with those reports, Triumph refused to do the mitigation first, playing coy by only offering that it hoped to start mitigation before any construction. What that meant was unclear—did it mean before excavation or only before building work? In either event, it would be too late to provide any meaningful relief to the sheep, especially since Triumph only plans to mitigate an area that is of no benefit to the sheep.

**There should be no construction during winter months.** With the sole exception of clearing and excavation, Triumph planned to build year-round. The CPW and all three experts concurred that there should be no construction during the winter months; construction should be limited to the summer and fall (a "July 31<sup>st</sup> to a November 15<sup>th</sup> time frame") because there is no meaningful way to minimize construction impacts on the sheep.

**There should be no site access from the west end of the project.** Triumph plans to locate the main access to the project—a road, pedestrian walkway, bus tops and a bus shelter—at its western end. Because of the proximity of prime grazing land to the immediate west of the project and also between the project site and Frontage Road, the CPW and all three experts

recommended that all access to the project be from only the eastern end and that the proposed driveway, pedestrian access and bus stops at the western end of the project be eliminated. The same is true for sidewalks; the experts recommended no sidewalks along Frontage Road. Faced with these recommendations, at the last hearing Triumph brought up the possibility of eliminating the bus stops and moving the pedestrian access to a mid-point in the project, but it was unclear whether those changes would actually be made; Triumph was clear, however, that it would not move the driveway access.

At the last hearing, Triumph also floated a bus turn-around plan from Vail Public Works that had not been seen by CPW or the independent experts. Nonetheless, it seemed clear from their reports that they would all oppose that plan since it would encroach even more on prime grazing areas.

**There should be no dogs at the project.** Contrary to what Triumph has planned—to only prohibit dogs in the apartment units--the experts agreed with the Vail Community Development Department's recommendation that there should be no dogs allowed in any part of the project. Triumph refused to accede to that recommendation.

**There should be funding for on-going mitigation maintenance.** In earlier iterations of this project, there were provisions for some on-going mitigation funding; Triumph dropped that in the current version. The CPW noted that mitigation is not a “one-and-done” proposition and that it requires continual maintenance. In that regard, CPW recommended that there be annual funding for mitigation. Triumph has declined to provide any funding.

Triumph has complained about these reports, but it has no one to blame but itself. If it had produced a sound and responsible environmental protection plan there would have been no need for independent expert reviews. Likewise, if Triumph had followed the recommendations of CPW there would have been no reason for CPW to further comment. But Triumph did not, and its complaints now only underscore the importance of these reports.

The PEC has the authority and responsibility to determine the parameters of this project; that doesn't mean an all or nothing result but rather finding a middle ground. It should do so in a manner that balances the use of the parcel with the preservation of the surrounding environment. VHA urges that in carrying out those duties, the PEC should:

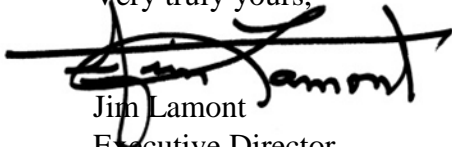
1. Reject the current EIR and mitigation plan. A project EIR and any mitigation plans must accurately identify all environmental impacts and offer plans to mitigate their impact. One thing that the CPW and independent experts' reports make clear is that Triumph's EIR does not accurately describe the dangers for the bighorn sheep, nor does it present a mitigation plan that will not offset those dangers. If and when a new EIR and mitigation plan are submitted, they should be immediately reviewed by independent experts.
2. Direct staff to utilize the independent experts and the CPW to determine what is an appropriate carrying capacity for the parcel that is concomitant with the surrounding environment.
3. Reject any plan that exceeds the carrying capacity of the parcel. Triumph is trying to squeeze as many residents as possible on the site, resulting in massive apartment

buildings with four story elements facing Frontage Road (the apartment units alone would house 168 to 234 residents). The PEC should not simply go along with that approach to this project. In particular, no building should exceed three stories in height and the overall population should be significantly reduced so that it does not exceed the carrying capacity of the property. A reduction in size would have the salutary effects of protecting the environment and also keeping the project compatible with the East Vail community and eliminating the visual pollution of massive box-like apartment buildings looming over Frontage Road and I-70.

4. As a part of any approval of a revised project:
  - a. Reject plans for access to the project from its west end. That would include rejection of the bus turn-around if it is actually proposed.
  - b. Require the full number of parking spaces (two per unit) for any apartment buildings. A reduction in the size of the project will allow the accommodation of more parking.
  - c. Require screening landscaping of the project to block views from the east, west and south.
  - d. Require mitigation be completed and demonstrated effective before any construction, including clearing and excavation, can commence.
  - e. Require that no outside construction take place during winter months when bighorn sheep are within ¼ mile of the project.
  - f. Require on-going funding for mitigation. In that regard, the PEC should direct staff to consult with the independent experts to develop a realistic mechanism and an appropriate amount (not the paltry \$5,000 per year that Triumph earlier proposed).
5. And, finally reject the project as proposed if Triumph does not agree to make the necessary changes to provide real mitigation for the sheep and reduce the scale and mass of the project to fit its carrying capacity.

We hope these comments are helpful and will provide a way to move this project forward in a responsible and appropriate way.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a stylized flourish extending from the end.

Jim Lamont  
Executive Director

Vail Homeowners Association



Planning and Environmental Commission  
75 S. Frontage Road  
Vail, Colorado 81657

Dear Commissioners:

Per your request at the last meeting and because I am out of town at this time, I am putting my concerns about the Triumph project and the Big Horn sheep on record.

As I said at the last meeting, we labored over the words on the council chamber walls. In fact, it was tedious and sometimes painful to sit through all of the discussions of the correct wording and even where the commas should be. But there was a motive. Because the whole purpose of the exercise was to provide the very words that would guide all future decision making.

In the case of the project under discussion, clearly the mission statement to “preserve our surrounding natural environment” and the vision statement of “environmental stewardship” should provide enough guidance. But I have an additional take on the subject.

We have been led to believe that affordable housing is such a severe crisis that we should throw all other considerations to the wind in the pursuit of its solution. And perhaps I, too, would fall into that trap if it weren't for my long history of support of affordable housing. Because unfortunately, I remember the squander of possibilities on the first phase of Timber Ridge. And while we are on Timber Ridge, would it not make sense to complete that fiasco before disturbing the last refuge in Vail for these the sheep?

I also find it difficult to work up a lather over this when our last big project was for subsidized housing of high end units sold to people who arguably could have afforded places to live without being underwritten by the Vail taxpayers- but of course, I just a regressed.

Perhaps more to the point, however, is the fact that this project is being spurred by Vail Resorts and their sudden urgency to solve the housing crisis. So, I must ask, if the crisis is so severe as to finally bring them to the table, why not develop property for which they have already received the green light, for which no one will challenge, in fact for which most will applaud- namely Ever Vail. Tell them to go for it- knock themselves out. And leave the big horn sheep to fight another day.

My personal opinion is that this property should only be under consideration when we have exhausted all other options. Disturbing the natural environment and endangering these beautiful creatures is a decision that should only be made when there is no possibility of solving the problem in another way. Fortunately for us, we have other choices and I hope you have the common sense to acknowledge that fact and act appropriately.

Unlike many people who spoke at the last meeting, I do not think you have a difficult decision. It is as clear as the writing on the council chambers wall and should be apparent to anyone who reads it, understands its original intent and is committed enough to act accordingly.

Kaye Ferry  
1007 Eagles Nest Circle  
Vail, Colorado 81657

TO: Town of Vail PEC and Town of Vail Council  
FROM: Craig and Kyle Denton

RE: Support of the “Booth Heights Neighborhood”

To Whom It May Concern:

We are local Vail Valley residents that have been in the valley since 1976, and support the “Booth Heights Neighborhood” project for the following reasons:

1. This valley continues to struggle with affordable “for-rent” and “for-sale” residential units. We need to continue to work towards providing our local workforce with affordable options to live here in the valley
  - a. Especially up-valley where people actually work. This helps benefit the entire community by reducing traffic on the roads, less car-emission and noise pollution, and alleviating overcrowded parking in the Village core.
  - b. We work in Vail Village and see “first-hand” and every-day the struggles that we and other business face with the lack of affordable up-valley housing options. We ourselves face the same challenges when we are trying to find good quality workers who would benefit greatly from living in the Town of Vail
  - c. As a real-estate-agent working with young families, there is a definitely a need for the mix of units that is being proposed in East Vail. The supply of affordable up-valley options continues to decline inevitably forcing families further and further down-valley
2. Environment Concerns
  - a. To our knowledge, the developers have put forth and are proposing a substantial Wildlife Mitigation Plan that goes above and beyond what has been required in the past of other developments. Having a viable Mitigation Plan makes sense given the sensitive environmental situation. Get this plan right. But the nearby sensitive environment has never stopped development before and should not stop this one.

3. We are proponents of personal property rights.
  - a. To our knowledge, the developer is asking for No Variances and everything that they have proposed is in accordance with the current allowed uses of the land. We believe this land was actually “Down-Zoned” from what it was once was in order to create the housing that our community needs.
  - b. The development review process for this new neighborhood should not be any more or less difficult than any other plan, and not allowing owners to develop/build on land that has legal zoning and allowable uses is unprecedented.

Sincerely,

Craig and Kyle Denton

**Larry S. Stewart**  
**5146 Gore Circle**  
**Vail, CO**

[LSSewart@stfblaw.com](mailto:LSSewart@stfblaw.com)

July 17, 2019

Town of Vail  
Planning and Environmental Commission  
75 South Frontage Road  
Vail, CO 81657

RE: Booth Heights proposed development

Dear Chairman and Commission Members:

Unfortunately I will be out of town next Monday, July 22<sup>nd</sup>, and therefore cannot attend the meeting on the proposed Booth Heights housing project. I feel very bad about that since I have been one of the proponents of allowing more time for public comment. However, since I cannot be at the meeting, I am sending this letter in substitute for the remarks I would have made had I been able to be present.

Because this site is "H" zoning, the PEC has the authority and responsibility to decide whether the size and mass of a proposed project is compatible with the surrounding neighborhood and whether the environmental impacts caused by the project have been mitigated. In that regard, the overwhelming evidence now shows that this proposed development is wrong for this site and is being proposed at the wrong time

It is wrong for the site because the mass and size of the project is incompatible with East Vail. East Vail is a residential neighborhood with no multi-hundred resident projects and no buildings in excess of three stories. This project is slated to have 270 to 350 residents (168 to 254 in three large apartment buildings and 102 more in the town homes) and the three large box-like apartment buildings are planned to have four story elements fronting on Frontage Road and I-70. The landscape plans have no screening for those buildings, nor for the rest of the project, (there is only a single tree on the south side) so the project will stand out like a sore thumb in an otherwise natural landscape. And, that situation cannot be corrected because the proximity of the project to the roadways and the steep slopes involved will not accommodate any meaningful landscape screening. There needs to be substantial down-sizing before any project is considered.

The project is also wrong for the site because of the irreversible environmental harm it will cause, primarily to the resident bighorn sheep herd. Much has already been said about this subject. The loss of habitat for the sheep would be much worse than Triumph will acknowledge and Triumph's efforts to gloss over that harm with the now discredited NAP parcel mitigation plan and the equally discredited claim that the sheep would forage in affected areas "under cover of darkness" have failed. The independent wildlife experts' reports and the report of the CPW make it clear that the proposed mitigation of 14.6 acres on the NAP parcel to the east of the project will not benefit the sheep and Triumph's biologist finally had to admit that the "uncover of darkness" claim was scientifically wrong. Most recently, Triumph's biologist claimed that the



PEC should "trust us" because the sheep will habituate to the project. If that were so, one would have expected it to have been put forth at the outset, not brought up as a last gasp claim. More important, that claim is undermined by the independent experts who explained that sheep are very susceptible to human disturbance and human impacts during the winter grazing time, when the sheep are most vulnerable, can be devastating. Before this or any other project can be considered, there needs to be a new EIR which realistically sets forth the potential harm to the sheep and other wildlife and which proposes sound and science-based mitigation.

The project is also being proposed at the wrong time because the environmental harm of this or any other project in this environmentally sensitive area needs to be mitigated and demonstrated effective before any construction is permitted to occur. Only mitigation on the lands to the north and west of the project can improve sheep habitat. That land is owned by the TOV and the USFS. While the TOV has begun some mitigation on its land, it is nowhere near complete and the USFS is still only in the planning stages of any mitigation on its land (under a best case scenario it would not be complete until the '21/'22 winter season).

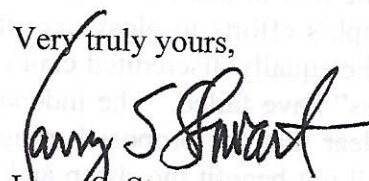
Triumph and/or the owner of the land, Vail Resorts, could have taken steps to engage both the TOV and the USFS at any time over the past two years (VR was already working with the USFS on the Golden Peak expansion). In particular, funding (which will be wasted on the NAP parcel) could have been provided to the USFS to start mitigation on its land to the north of the project. That they didn't so act and instead hired a biologist to come up with a junk science mitigation plan has created a situation where the PEC is being asked to take it on faith that the sheep will not be harmed by this project. But the PEC does not have to act on blind faith and should not be put in that position. No project approvals should be considered until real mitigation has been completed and demonstrated effective.

Nor should the PEC be swayed by Triumph's complaints made at the end of the last meeting about the fact that independent experts had been retained to review the project. Triumph has no one to blame but itself. Had Triumph presented a plan based on real science that provided for meaningful environmental mitigation there would have been no need for independent experts or for the CPW to weigh in. That Triumph is now complaining about those reports only underscores their importance.

For those reasons, I urge the PEC to vote "no" on the approval of this project. This is not to say that no project could ever be built on this site. If there were a project that was of an appropriate size and scale and the environmental harm had been mitigated, it would be possible to proceed. That is not this project.

Thank you for considering my comments.

Very truly yours,



Larry S. Stewart

## Danielle Couch

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**From:** pamelas <pamelas@vail.net>  
**Sent:** Thursday, July 18, 2019 10:09 AM  
**To:** PEC  
**Cc:** Chris Neubecker; Matt Gennett  
**Subject:** Questions about proposed East Vail housing

Dear Chairman Stockmar and Commissioners,

While there are many questions about so many aspects of the Triumph proposal for housing on the East Vail parcel, I will only address a few of them here.

First, while this might be considered history as it relates to this project, it is my understanding that the developer is responsible for selecting which neighborhoods or households receive notice about a proposed development. Accordingly, as I have been told, Triumph selected the neighborhood to the east and a neighborhood across I-70 but not the homes just to the west on the north side of the Frontage Road. The homes to the west will be within clear view of the massive development. People in the Lupine neighborhood across the Interstate may have to drive past the East Vail project but probably won't experience as significant impact as homes to the west of the site.

-Shouldn't neighbors who will suffer the effects of this development every day into the future have been notified at the onset?

-Should the PEC have insisted that notice be sent to a broader reach in fairness to nearby neighbors?

Next, we have seen sketches of the development that clearly show three hulking boxes situated right on the Frontage Road. One of the PEC design criteria is that a new development fits within the neighborhood. Triumph has conveniently pointed out that there aren't neighbors right next door. That said, what is being proposed is not consistent with housing in East Vail, along the Frontage Road to the west or anywhere in the Town of Vail, for that matter. Proposing to build three massive boxes that have no character or redeeming architectural features and are clad with cheap looking materials should be an embarrassment to the developer and to Vail Resorts. The design of the apartments and townhouses is better suited for the Denver Stapleton neighborhood than is for Vail. The often maligned Middle Creek Housing has varied rooflines and building heights; it is a far better example of architecture that meets the needs of workforce housing while not being a blight on the landscape. Can the Developer and PEC learn from this example?

Some commissioners have asked for visuals that will show the true layout and effect of this project - after the entire hillside has been bulldozed and a massive berm constructed. To have to be asked for detailed visuals hints that Triumph was hoping not to be questioned on the mass and impact the proposed project will have until it was too late to make appropriate adjustments. Will the developer be required to present visuals, possibly models and video, that will adequately show what citizens will see coming down Vail Pass and along the Frontage Road into the future? Visuals should be easily understood by all members of the PEC and the public, not just those who are adept at interpreting plot and architectural drawings. Citizens have to live with these developments into the future and deserve to be able to visualize what they will see whenever they come west on Vail Pass or travel along the Frontage Road.

Triumph frequently references comparable properties including Timber Ridge, Lion's Ridge, Middle Creek. There is very little these lodgings have in common with the East Vail site aside from being designated for employee housing; each of the 'comparable' properties actually are within reasonable walking distance to

jobs in the Town or Lionshead and to the post office, real grocery stores, other shopping and restaurants. Listing Simms Market as a reasonable option for grocery shopping is a stretch. All the 'comparables' actually are a short bus ride to jobs and all of the aforementioned services and shopping. Residents of the East Vail site will either have to drive or take two busses each way to get to the post office, shopping and services. Considering that many employees in this community have two or more jobs, when are they going to be able to take half a day off to ride two busses each way to do shopping or run essential errands?

Regarding parking, while many believe that the parking plan is inadequate, I don't have a problem with it. Perhaps Triumph's calculations of parking use will ring true. And if the developer or future managers find that parking is a problem, it is THEIR problem to deal with. Not increasing masses of asphalt for parking is potentially good as it could modestly limit additional damage to habitat and the hillside.

Considering transit, Mr. Kassmel briefly presented a proposal for a bus turn-around, bus stops, sidewalks and pedestrian access. Presumably he had not had the opportunity to review the reports of independent wildlife biologists that came in on Friday July 5, during a Holiday weekend, prior to the PEC meeting on July 8. Hopefully the PEC will direct Triumph and Mr. Kassmel to consider the biologist's reports and make adjustments to the recommendations. Per the biologist's reports, eliminating all bus, pedestrian and vehicle access from the west end of the proposed development is essential to preserving wildlife habitat.

Vail Resorts has touted this development as workforce housing, yet the developer is considering short term rentals in some of the townhouse units. Is it or isn't it workforce housing? If this is truly workforce housing no short term rentals should be allowed at any time. If Vail Resorts, VVP and others want to celebrate this property as workforce housing it needs to be exactly that, not just more units that become AirB&B or other short term rental properties.

Finally, NO dogs should be allowed anywhere on the site. It is not a 'right' to have a dog anywhere, it is a privilege that carries responsibility, not just to the dog but to neighbors and the environment. Wildlife biologists have unanimously stated that dogs should be excluded. When the developer says they will 'control dogs', how do they propose to do that on a 24/7/365 basis? Consider the fact that for \$45 nearly anyone can get a certificate stating their dog is an 'Emotional Support Animal'. The developer or it's management company should first disallow dogs on the property and be called to task to verify that any animals claimed to be Service or ESA truly qualify and are not being presented as such by owners who don't actually have needs. I support Service and legitimate ESA animals but find fault with the owners who abuse the system through online services that erode trust in the Service and Emotional Support programs. If this project is approved, the PEC must require that strong management procedures be written into covenants and association documents to protect those who truly need a support animal and not allow fake certification and dogs who don't qualify. If it isn't addressed at the outset rampant abuse will be the result.

Thank you for considering my concerns. Your request that interested parties submit letters so you can read and digest content is undoubtedly a daunting task.

Regards,

Pam Stenmark

Pamela Stenmark  
[pamelas@vail.net](mailto:pamelas@vail.net)

(c) 970-376-1124



## Danielle Couch

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**From:** pamelas <pamelas@vail.net>  
**Sent:** Monday, July 8, 2019 8:32 AM  
**To:** PEC  
**Cc:** Chris Neubecker; Matt Gennett; Council Dist List; Kristen Bertuglia  
**Subject:** Urgent Request to PEC - Timely Response Requested

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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TO: Planning and Environmental Commission

The PEC meeting on July 8 is a significant one for the future of Vail, its brand, image and direction into the future.

Triumph Development has submitted their development plan and essentially has unlimited time to present their story. On the other hand, citizens with legitimate questions, concerns and ideas have been limited to three minutes per person to present information, ask questions, request information or voice opinions. This seems unbalanced and unfair.

Today's hearing will address the critical environmental issues. We do not believe that they can be intelligently or adequately addressed in just three minutes time. We are requesting that the Commission allow a group of us, who will be in attendance at the meeting, to cede our three minutes to a single presenter. We feel this would offer an organized, concise, cohesive and very understandable response. It is estimated that this presentation will take less than 20 minutes and will be much more efficient than people speaking in disjointed three minute intervals.

We respectfully request a response not later than 11:00 AM on Monday, July 8 so we might be adequately prepared.

Regards,

Pamela Stenmark

cc/ Chris Neubecker  
Matt Gennett  
Vail Town Council  
Kristen Bertuglia

Pamela Stenmark  
[pamelas@vail.net](mailto:pamelas@vail.net)  
(c) 970-376-1124

## Danielle Couch

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**From:** Pete Feistmann <feistmann@earthlink.net>  
**Sent:** Thursday, July 18, 2019 7:55 AM  
**To:** PEC  
**Subject:** No response

Hello to all of you,

I think you should know that I have not received an answer to the email below, with the June 22 meeting fast approaching.

I hope you agree that this is unfortunate at best, unprofessional at worst, and will understand that it undermines my faith in the process.

Pete

**From:** [Pete Feistmann](#)  
**Sent:** Friday, July 12, 2019 2:25 PM  
**To:** [Chris Neubecker](#)  
**Subject:** Re: Booth Heights info web page

Hi Chris,

Has the applicant been required to prepare a complete visual presentation of the project, in a format that allows community members who are not versed in reading plans, to understand what the project will look like, including its visual impact when descending Vail Pass westbound on I-70? It's my understanding that with current technology this can be done in a video format.

Given the uproar the project has created in the community, I believe the staff and/or the PEC has a moral obligation to require this before a final vote is taken.

Thanks,

Pete

## Danielle Couch

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**From:** Peter Casabonne <casaent@vail.net>  
**Sent:** Thursday, July 18, 2019 1:27 PM  
**To:** PEC  
**Subject:** FW: Booth Heights

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**From:** Peter Casabonne [<mailto:casaent@vail.net>]  
**Sent:** Thursday, July 18, 2019 12:18 PM  
**To:** 'pec@vail.gov' <[pec@vail.gov](mailto:pec@vail.gov)>  
**Subject:** Booth Heights

PEC,

Regarding the Bighorn Sheep and other resident wildlife :

After reviewing the recommendations by CPW and 4 wildlife professionals including Rick Thompson and Bill Andre, one point is clear to me. Not one of these experts will tell you that the proposed mitigation and habitat enhancements will ensure the survival of this herd of Bighorn Sheep. I think reasonable solutions can be found to the other challenges to this development, **EXCEPT** for the threat to these resident animals. Are you, the PEC, willing to take that risk ? If not "NO" on this proposal due to environmental factors, then no to what ? This really is the last stand for wildlife in this valley. Housing..... yes, very important, but not as important as making sure our land use decisions do not cause the loss of these animals. At what point does this place we call home become the place our paying guests are escaping from ?

Consider this part of the Town's Mission Statement :

" Grow a vibrant, diverse economy and community and preserve our surrounding natural environment ..... "

Respectfully,  
Peter Casabonne  
West Vail



Virus-free. [www.avast.com](http://www.avast.com)

## Chris Neubecker

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**From:** Peter Suneson <p.suneson@gmail.com>  
**Sent:** Tuesday, July 9, 2019 5:07 PM  
**To:** PEC  
**Subject:** Sheep and Homes

Good evening Vail PEC,

My name is Peter Suneson and I live in deed-restricted housing and I'd like to take just a minute of your time to share with you the story of my first 5 years in the valley.

I was hired directly out of graduate school to start a dream job in my chosen career field. I walked across the lawn in Missoula on a Saturday, and on Tuesday I was at work in Avon. Finishing up school didn't allow much time for house hunting, and needless to say I totally underestimated the situation as we charged towards winter 2015 (remember that!?). Fortunately, my employer had an innovative partnership with a local business (Vail Resorts) that allowed me to spend my first summer in lofty housing, rent free. I was able to save a few pennies.

My second residence, just a little further west down highway 6 (this will be a theme), was also the result of an innovative and dynamic relationship. As we hurtled towards the 2015's I spent the entire summer on craigslist looking for a home until stumbling across a very affordable "roommate needed" situation. Lo and behold, the woman looking for a roommate was ski buddies with a friend of mine from my undergrad, 10 years ago in far away in New York. The affordability came about as Kelly was an employee of the ERWSD and was living in district-owned housing. Thus, I was back in an affordable housing situation, brought to me by an innovative program from a thoughtful municipality. Again, I saved a few pennies.

Just a little further west down highway 6 I moved into my third residence in 2 years. As luck would have it, I had found a partner who was willing to live with me forever and also help provide the stability necessary to venture into the open market. Our landlord was one of the good ones, a part/time resident who bought during the recession and kept rent reasonable and didn't bother us. The place hasn't been listed publicly for years since we all have friends who need a place to live. Great for a certain lucky few, but not so great for anyone new moving into town. Again, this time very fortunately, I was able to save a few pennies

Our savings on rent in Sunridge, Liftview, and Rivers Edge allowed us the means necessary to buy a condo in Miller Ranch this past October, hopefully the destination of our journey down highway 6! Purchasing a home not only comes with the tangible benefits of space, clean carpets, and a carport(!), but the intangible benefits of stability, sustainability, and the feeling of being part of a community (not to mention the huge convenience of the ECO bus stop at Freedom Park). All these things would not have been possible for us without innovative partnerships, deed-restrictions, and foresight from leaders in our dynamic valley.

With that said, it's worth noting that I spent my first five years in the valley educating locals and visitors alike on the ecology, natural beauty, and wildlife of Eagle County. It seems I did not do my job well enough because the argument being put forth by a select few seems to be wildlife vs. housing. Although I assume we all agree this is not the case, I think the vitriol coming from the detractors of affordable housing has empowered me, and many of my peers, to believe their argument is not in fact wildlife vs. housing, but rather the choice between wildlife or ME, my peers, and other young professionals looking to call the Eagle Valley home.

I urge the PEC to continue be leaders in our communities' quest for affordable housing, continue to be

innovative when it comes to deed-restricted housing options, and to continue to do what it can to ensure a diverse and equitable community.

Sincerely,

Peter Suneson

## Danielle Couch

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**From:** Suzanne Silverthorn  
**Sent:** Monday, July 8, 2019 10:04 AM  
**To:** PEC; Council Dist List  
**Subject:** Fwd: East Vail Booth Heights proposal

FYI

Suzanne Silverthorn, APR  
Director of Communications  
Town of Vail  
970-479-2115  
970-471-1361 (cell)

Begin forwarded message:

**From:** Amanda Zinn <[AZinn@vailgov.com](mailto:AZinn@vailgov.com)>  
**Date:** July 8, 2019 at 10:01:14 AM MDT  
**To:** Suzanne Silverthorn <[SSilverthorn@vailgov.com](mailto:ssilverthorn@vailgov.com)>  
**Subject:** FW: East Vail Booth Heights proposal

-----Original Message-----

From: [info@vailgov.com](mailto:info@vailgov.com) [<mailto:info@vailgov.com>]  
Sent: Monday, July 8, 2019 9:56 AM  
To: Info  
Subject: East Vail Booth Heights proposal

Dear Mayor Chapin,

It seems like you may be casting the deciding vote on the Booth Heights development. I know you love the open space in Vail and will work to preserve it. The respect that we show for the bighorn sheep reflects who we are in Vail. Let's not send the wrong message. We care. Those of us who are lucky enough to live in Vail are trying to help preserve the environment for our future generations. I hope that you will do the right thing and vote against the proposal.

Sincerely,  
Sharon Smith  
Vail, CO

Submitted By:  
Name:: Sharon Smith  
Telephone:: 9706880136  
Email:: [liebchen1@hotmail.com](mailto:liebchen1@hotmail.com)

Submitted From:  
<https://www.vailgov.com/contact>

## Chris Neubecker

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**From:** Susan Bristol <susan.bristol@gmail.com>  
**Sent:** Wednesday, July 10, 2019 8:19 PM  
**To:** rkatz@vailresorts.com  
**Cc:** PEC; Dave Chapin  
**Subject:** Letter to Rob Katz

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Rob Katz  
CEO and Chairman of the Board  
Vail Resorts  
390 Interlocken Crescent  
Broomfield, CO 80021  
[rkatz@vailresorts.com](mailto:rkatz@vailresorts.com)

Dear Mr. Katz,

Your establishment of Vail's mission "Experience of a Lifetime" with its "Great Outdoors" ethic has in a relatively short time encompassed both U.S. and international Vail Resorts properties. As a Vail resident since 1970, former stockholder before the company went private years ago, and Game Creek Club member, I am one of the many people who treasure Vail for its many natural outdoor opportunities, its community and our wonderful mountain.

Your farsighted role in the Camp Hale Preservation and your position as a "Global Game Changer" indicate that you have acute concern both for history and for our environment. I know Vail Resorts together with entities such as the Vail Valley Partnership and the housing department at the Town of Vail are anxious to find workforce housing in the Vail area, both for your employees and those of the town. When Vail Resorts discovered in 2016-17 that it owned a tract of land previously thought to be Open Space for the payment of a portion of back taxes, it must have seemed the perfect site to solve the housing challenge. Offering a contract for development to Triumph, riding high on its success with the Chamonix deed-restricted housing, was an obvious choice.

And yet, there is the issue of historical land use. I'm certain you are aware of the community's widespread concern for Vail's single legacy Bighorn Sheep herd that resides on the Booth Creek site and adjacent hillside. It has been proven that "mitigation" of natural environment is the beginning of herd death within a few years' time. This is tantamount to killing the Goose That Laid the Golden Egg.

These two challenges to Vail – housing working people and protection of the natural environment which makes Vail what it is – need not be placed in such conflict. With the many public and private resources that could be drawn upon to contribute to a solution, it would be a public relations coup for Vail Resorts to take a broad look at these two issues and be the one to lead in solving both challenges.

Enable Vail Resorts to work with the Town of Vail with its RETT funds and entities such as the Eagle Valley Land Trust, Colorado Open Lands, Great Outdoors Colorado and private donors to re-place the East Vail parcel in its original designation as Natural Area Preservation District. Enable Triumph to make its profit via for sale, workforce and deed-restricted housing on a site such as the following: land set aside within the seemingly

moribund EverVail development, the old Roost site, or looking toward the future, the Vail Municipal area site as envisioned by the proposed Civic Area Plan. Looking far to the future, air rights above I-70, as Boston has developed, would solve our noise issues and open a tremendous amount of developable land. Unlike the Booth Creek site in East Vail, all the above are within easy walking distance of jobs in Vail/LionsHead.

With Vail Resorts' far reach and resources, it has the opportunity to champion both development and conservation. It would seem that Vail Resorts investors would be proud to have ownership in a corporation dedicated to sustainability of existing land and environmental resources promising continuing income generation, as well as farsighted care for the workforce upon which that sustainable success depends.

I look forward to your timely consideration and reply, as this contentious issue insistently troubles and divides the Vail community, long-time residents and workers alike.

Respectfully,

Susan Bristol, Hon. AIA  
Box 431 – Vail, CO 81658  
970-476-2608  
[susan.bristol@gmail.com](mailto:susan.bristol@gmail.com)

cc: Brian Stockmar, Chair, PEC Vail – [pec@vailgov.com](mailto:pec@vailgov.com)  
Dave Chapin, Vail Mayor and Town Council Chair – [dchapin@vailgov.com](mailto:dchapin@vailgov.com)



## Chris Neubecker

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**From:** Shelley Bellm  
**Sent:** Tuesday, July 9, 2019 11:38 AM  
**To:** PEC  
**Subject:** FW: housing

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**From:** RMR Vail Shop [<mailto:vail@rockrepro.com>]  
**Sent:** Monday, July 8, 2019 4:51 PM  
**To:** CommDev  
**Cc:** Council Dist List  
**Subject:** housing

To the Town of Vail Council,

My name is Tom Towey and my wife Polly and I are the owners of Rocky Mountain Reprographics here in Vail. We do support the housing development in East Vail. We know that developments like this can be controversial, but this is about more than whose backyard it is in. People need to be able to live near where they work. We currently have a home in Glenwood Springs and have considered moving to the Vail area, but we have found that we cannot afford anything in Vail. We might be able to find something as close as Eagle or Gypsum. This housing project would not help my wife and I get a home in Vail, but maybe a future employee could have a home there.

Sincerely,  
Tom Towey  
Rocky Mountain Reprographics  
Vail, Colorado